

REMARKS**I. Status of the Claims**

Claims 2, 4-22, 25-46, and 49-93 are now pending in this application. Claims 1, 23, and 24 are canceled herein without prejudice or disclaimer. Claims 2, 4-13, 16, 21, 25-28, 31, 35, 36, and 42 are amended to depend from claim 93. Claim 93 is amended herein to import the limitation of original claim 24 and to recite that the human keratin fibers have a tone height of less than or equal to 6 and that the composition is applied to the fibers in an amount effective to provide a lightening effect on the fibers. Support for this amendment may be found in the specification and claims as originally filed, for instance, in original (now canceled) claims 3 and 24. Accordingly, Applicants assert that this amendment does not introduce new matter or require further search.

II. Telephone Interview with Examiner

Applicants thank the Examiner for the teleconference held on November 2, 2006, in which he indicated that claim 93 would be allowable if amended to incorporate the formulas of claim 24 and to recite that the human keratin fibers have a tone height of less than or equal to 6 and that the composition is applied to the fibers in an amount effective to provide a lightening effect on the fibers. In light of this conversation, and solely to expedite prosecution, Applicants have herein amended the claims accordingly. Applicants preserve the right to pursue the subject matter of the original claims in a continuation application. As such, Applicants assert that claims 2, 4-22, 25-46, and 49-93 are neither anticipated nor obviated by the prior art and respectfully request that the Examiner allow the claims.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request that this Amendment be entered by the Examiner, placing claims 2, 4-22, 25-46, and 49-93 in condition for allowance. Applicants submit that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

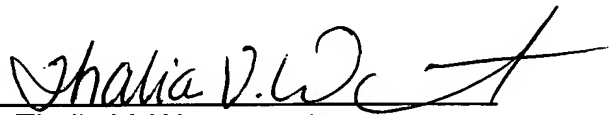
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 16, 2006

By: _____



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